

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, August 1, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT- Sergeant Ron Ashford, Sheriff's Office, thanked the Board for its support regarding the placement of Measure A on the ballot. Robin Yonash commended the Board for their proactive approach in reducing the wild fire hazard in the County. Rosemary Frieborn, Friends of Placer County Animal Shelter, urged the Board to visit Sacramento County's website, where they are addressing similar animal issues. Sharon Broertjes, on behalf of the Retired Public Employees Group, asked the Board not to increase health insurance payments. Marge Privara, member of Retired Public Employees Association, asked the Board not to disregard retirees and their need for health benefits. Phillip Johansen inquired about the possibility of building a new Senior Center.

SUPERVISOR'S COMMITTEE REPORTS – None given.

CONSENT AGENDA – Replaced wording for Item 6, Sacramento Municipal Utility District's Measure L and removed Item 8. Consent Agenda approved as amended with action as indicated.

MOTION Weygandt/Holmes/Unanimous

1. **ORDINANCES** – Second reading:
 - a. **Personnel** – Ordinance 5428-B adopted amending Chapter 3, Sections 3.12.020 and 3.12.030, classified and unclassified service salaries for engineering and engineering management salaries due to Side Letter of Agreement with Placer County Public Employee Organization (PPEO) regarding the implementation of salary adjustments for the professional engineering and surveyor classifications.
 - b. **Personnel/Civil Service Commission** – Ordinance 5429-B adopted amending Chapter 3, Section 3.12.010, Allocation of Positions to Departments, reflecting the reclassifications of one Account Clerk Entry/Journey position to an Accounting Technician in the Sheriff's Department, one Homemaker position, to a Client Services Assistant I/II in the Health and Human Services Department, and one Administrative Clerk Entry/Journey position to Secretary Entry/Journey in the Facility Services Department.
2. **BOARD OF SUPERVISORS** - Resolution 2006-230 adopted commending Fred Morawcznski, Chief Probation Officer, upon his retirement and for his dedicated service to Placer County.
3. **CHILD SUPPORT SERVICES** – Resolution 2006-231 adopted proclaiming August 2006 as "Child Support Awareness Month".
4. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by County Counsel:
 - a. 06-054, State Farm Insurance, Not Stated (Bodily Injury).
 - b. 06-075, Wipfler, Lisa, \$700,000 (Bodily Injury).
5. **COMMITTEES & COMMISSIONS:**
 - a. **Older Adult Advisory Commission** – Approved reappointment of a three year term for Marion Faustman to Seat #12 (California Senior Legislature), Delta Ricky to Seat #15 (Multi-Purpose Senior Center) and Eldon Luce to Seat #21 (Health & Human Services).
6. **COUNTY CLERK/ELECTION** - Resolution 2006-232 adopted authorizing the County Clerk to render election services for elections to be held November 7, 2006.
7. **COUNTY CLERK/RECORDER** - Approved one-year contract extension with AtPac, in the amount of \$170,721.71, for the Clerk-Recorder Imaging Information System, including software licensing, maintenance and related support.

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8. ~~REMOVED - COUNTY EXECUTIVE/EMERGENCY SERVICES~~ — Staff recommends the Board take the following actions:
- ~~Approve a resolution replacing of the Ponderosa Fire Safe Council with the Placer Sierra Fire Safe Council (PSFSC);~~
 - ~~Approve an increase from 45,000 to 87,500 acres and modify the "new" Council core group membership to accommodate the increased acreage and population;~~
 - ~~Authorize the Chairman to sign the new Placer Sierra Fire Safe Council Partnership Agreement;~~
 - ~~Direct the Clerk of the Board to post vacancies for the Placer Sierra Fire Safe Council; and~~
 - ~~Approve reappointment of two current members of the Council from the Placer Hills Fire Protection District and extend their expiration dates to coincide with the calendar year.~~
 - ~~Timothy Robinson to Seat #2 (Meadow Vista) expiring January 31, 2008.~~
 - ~~Gary Winegar to Seat #3 (Applegate) to expire January 31, 2009.~~
9. FACILITY SERVICES:
- a. Loomis Library Expansion, Project #4705 - Approved plans and specifications for the project and authorized staff to solicit bids for construction.
 - b. Public Works Site Preparation Phase at Cabin Creek – Amended consultant agreement with Harris & Associates, Inc., in an amount not to exceed \$34,000, for construction management services for the Public Works Operations and Maintenance Facility in Truckee.
10. HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE:
- a. Approved amendment to Contract #11913 with Sierra Family Services, increasing the net amount for FY 2005/06 from \$1,844,203 to \$1,854,203.
 - b. Approved agreement with B. Burrows Company, Inc., dba Burrows Security Force, from August 1, 2006 through June 30, 2007, in the amount of \$107,000, to provide security personnel for the mental health crisis services performed by Placer County Adult, Child and Community Emergency Services System (ACCESS) at Sutter Roseville Medical Center, and authorized the Health & Human Services Director to sign.
11. HEALTH & HUMAN SERVICES/COMMUNITY HEALTH – Approved appointment of Dennis Cain, Utilization Review/Quality Assurance Coordinator, as the County Privacy and Security Officer, as required by the Health Insurance Portability and Accountability Act (HIPAA).
12. REVENUE SHARING – In approving the following appropriations, the Placer County Board of Supervisors made the finding that each and every approved contribution serves a public purpose by promoting the general welfare of the County and its inhabitants; therefore, the County benefits.
- a. Approved appropriation of \$1,000 in Revenue Sharing monies to Fruitvale School Charitable Association and PlacerGROWN's 2nd Annual Outdoor Melodrama, as requested by Supervisor Weygandt.
 - b. Approved appropriation of \$500 in Revenue Sharing monies to Auburn Community Concert Associations 61st Annual Concert Season, as requested by Supervisor Holmes.
13. VETERANS – Resolution 2006-233 adopted authorizing the Chairman to sign the California Department of Veterans Affairs, County Subvention Program and Medi-cal Cost Avoidance Program Certificates of Compliance for FY 2006/07 and authorizing the County Executive Officer to sign the Certificate in future fiscal years.

End of Consent Agenda

PLANNING/HOME DEPOT PROJECT/APPEAL/CONDITIONAL USE PERMIT/TENTATIVE PARCEL MAP (PCPB T20060166/PMLD T20060173) ENVIRONMENTAL IMPACT REPORT (SCH# 1997122100) - Consider consent to the withdrawal of the appeal by Friends of Placer County Communities, Inc., thereby making the decision of the Planning Commission on April 27, 2006, the final decision for the approval of the Home Depot DeWitt Center Final Environmental Impact Report (SCH No. 1997122100), Conditional Use Permit No. PCPB T20060166 and Tentative Parcel Map No. PMLD T20060173, and directed the Planning Director to file a Notice of Determination with the County Clerk within five (5) working days in accordance with Public Resources Code Section 21152(a) and California Environmental Quality Act Guidelines Section 15094.

MOTION Weygandt/Gaines/Unanimous to approve consent to the withdrawal of the appeal and direct the filing of a new Notice of Determination.

Michael Johnson, Planning Director, stated on April 27, 2006, the Planning Commission unanimously approved a conditional use permit and tentative parcel map for the development of a 125,000 square foot Home Depot Center on a 10.8 acre site within the DeWitt Center. On May 5, 2006, an appeal was

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filed by Dale Smith, on behalf of the Friends of Placer County Communities. On July 18, 2006, Mr. Smith submitted a letter withdrawing the appeal. Staff has concluded that the project, as approved by the Planning Commission, addresses all issues raised by the appeal. Staff recommends that the Board consent to the withdrawal of the appeal.

Public Comment: Comments were received relating to traffic issues, truck noise, access to Home Depot and the withdrawal of the appeal due to lack of funding. Supervisor Holmes stated he is not opposed to Home Depot, but is opposed to the location. He felt that a retail store, the size of Home Depot, in the proposed location, was not in the best interest of the residents of North Auburn. Chairman Holmes spoke about the merits of the site being converted to a senior community. He supported the request to withdraw the appeal out of respect for Mr. Smith and his hard work.

DISTRICT ATTORNEY – Presentation of the 2006 Citizen's Recognition Awards, followed by a reception in Conference Room A.

ADMINISTRATIVE SERVICES/PROCUREMENT – Authorized the Purchasing Manager to sign the following:

- a. **Request for Proposal #9572, Multi-Function Digital Copiers/Countywide** – Awarded to Toshiba Business Solutions, in the maximum amount of \$2,995,500, for a five-year contract.
MOTION Kranz/Holmes/Unanimous

AUDITOR/CONTROLLER - Staff requested approval of FY 2005/06 budget revisions to complete the accounting transaction for the fiscal year and allocation of new funding and cancellation of funding to various designation accounts:

1. Approved budget revisions ~~(3)~~ (2) necessary to complete the accounting transactions for the fiscal year ending June 30, 2006. MOTION Holmes/Weygandt/Unanimous
2. Approved allocation of \$141,420 to the designation for fixed asset acquisition in FY 2005/06 that resulted from interest earned on the Capital Improvement Securitization Fund.
MOTION Holmes/Weygandt/Unanimous
3. Approved increase funding to the following designations in order to comply with Board adopted Budget and Financial Policies:
\$1,540,105 designation for economic uncertainties, and
\$3,323,782 designation for fixed asset depreciation.
MOTION Kranz/Gaines/Unanimous
4. Approved a new designation of \$1.5 million to provide future match funding requirements to procure State, Federal and other funding for bridge, road, etc. projects.
MOTION Kranz/Gaines/Unanimous
5. Approved increase to the designation for contingency of \$3,576,748 in the Workers Compensation Fund. MOTION Holmes/Weygandt/Unanimous
6. Approved budget revision for the following actions related to Other Post Employment Benefits (OPEB):
 - a. Moving \$10 million from the designation for Other Post Employment Benefits (OPEB) out of designations and into a County trust account in order that those funds can earn interest
 - b. \$347,708 to the trust account that represent interest earnings on the \$10 million noted in "a" above during FY 2005/06.
 - c. Adding funding to the County trust in response to GASB Statement No. 45 related to Other Post-Employment Benefits (OPEB) in the amount of \$10 million dollars.
MOTION Weygandt/Holmes/Unanimous

Kathy Martinis, Auditor/Controller, stated the action today is an annual wrap up year end accounting transactions.

Therese Leonard, County Executive Office, explained that this item seeks to promote financial stability for the County and funding of the reserve levels. These actions will set a solid foundation for consideration of the final budget during upcoming workshops. She addressed each action separately:

Item 1 – Ms. Leonard corrected the record stating the action requested is to approve 2 budget revisions. The budget revisions correct the excess of appropriations in two areas: Veterans Services and Health & Human Services Administration Budget.

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Item 2 – Ms. Leonard said this item relates to the Securitization Fund. Several years ago, the Board securitized the Master Settlement Agreement Revenues and Tobacco Revenues and brought them into the County. One of the conditions of the bond is the monies are to be placed into a fund that could not earn interest. Every year, staff calculates what the funds would have earned in interest and asks the Board to set those funds aside in a designation for fixed asset. Staff is asking the Board to set aside \$141,420 into the designation for Fixed Asset for future capital construction.

Item 3 – Ms. Leonard said his item refers directly to the County's budget and finance policies. These policies address how we budget for revenues, expenditures, one-time funding, contingencies and how reserve levels will be designated. Staff is asking the Board to increase funding to meet the budget and finance policies in two areas: (1) The General Reserve to reach a 5% threshold of the General Fund County Budget and (2) To fund the depreciation expenditures. Supervisor Gaines inquired why government should be concerned about depreciation. Kathy Martinis explained this is a way to set aside money so there will be funding to replace equipment as it gets old. Supervisor Kranz inquired if the 5% threshold was standard. Therese Leonard advised that when the budget and finance policies were developed, staff performed a survey of all the counties throughout the State. The 5% threshold is very prudent, but very few counties are able to maintain that level. This puts the County in a better financial position and assists with our credit rating.

Item 4 – Thomas Miller stated this is a request for a new designation. In the past, Board members had difficulty in procuring match money for these types of projects. This new proposal will set aside monies for this purpose and would be a regular part of the annual budget. Supervisor Kranz asked where the \$1.5 million number was derived. Mr. Miller explained that was what the County could afford after the budget was balanced. There was discussion regarding the increase in property assessments this year and what percentage the County received. Ms. Martinis explained that 1% is shared by all entities in the County but the County only receives 18-19 cents on the dollar.

Item 5 – Therese Leonard advised that every year an Actuarial Report is prepared to determine what the accrued loss is in the Worker's Compensation and General Liability Funds. Two years ago, there was State legislative actions that were going to impact Worker's Compensation payouts. In order to prepare for the impact, the Actuarial Report included the accrued loss contingency of \$16 million. The report issued this year reduced this amount to \$13 million, due to the State payout amounts being known, resulting in a predictable stream of expenditures. Therefore, the accrued loss contingency will be reduced and redirected back into the designation account.

Item 6 – Kathy Martinis explained the new accounting standard, GASB 45, requires that in 2007/08, the County will have to report its liability for promised benefits to retirees, (i.e. health care, life insurance, dental & vision) other than pension. This is probably the most significant financial impact that the County has ever faced. Health care costs continue to grow resulting in the impact escalating. Eventually, the County will be required to pay between \$35-40 million to fund these benefits. Last year, the Board set aside \$10 million to help mitigate these costs. The request today is to move the \$10 million out of designation and into a trust fund so interest can be earned. The second request is to allocate dollars that would have earned interest (if it had been in an interest bearing account) through 2005/06, equating to approximately \$347,000. Staff asks that this money be allocated and moved to a trust fund. Lastly, staff is requesting the Board designate another \$10 million to the new trust fund in an effort to mitigate future impacts.

Supervisor Kranz inquired if the State could write wording into legislation that would enable them to dip into these reserves. Kathy Martinis stated that the action requested today will not totally protect it. In order to meet the accounting standard, the money will have to eventually be moved into an irrevocable trust, similar to our pensions, which are 100% protected. At this time, there is not irrevocable trust in place for this type of benefit.

Supervisor Gaines agreed that this is the biggest financial challenge that the County has to address and felt the Board is taking the right steps to set aside funding. Mr. Gaines added that expenses will have to be monitored to make sure they are being kept under control.

BOARD OF SUPERVISORS – Presentation of Resolution 2006-230 commending Fred Morawcznski, Chief Probation Officer, upon his retirement and for his dedicated service to Placer County.

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COUNTY CLERK/ELECTIONS - The Board took the following actions:

- a. Approved purchase of 310 Help America Vote Act (HAVA) compliant and accessible touch screen voting machines, related equipment, supplies and services, in an estimated cost of \$1.725 million;
- b. Authorized the County Clerk-Recorder-Registrar of Voters to execute the resultant contracts, subject to County Counsel approval;
- c. Resolution 2006-234 adopted authorizing the County to enter into a reimbursement agreement with the State for HAVA Sect. 301 (voting systems compliance and accessibility) Federal funds to offset touch screen equipment and system acquisition costs; and
- d. Authorized the County Clerk-Recorder-Registrar of Voters to execute said agreement and related documents with the State, on behalf of the County, as set forth in the resolution.

MOTION Holmes/Gaines/Unanimous

Jim McCauley, County Clerk-Recorder-Registrar, stated after the 2000 Federal election, Congress passed the "Help America Voting Act (HAVA)". The act replaced election systems that were unreliable, i.e. the punch voting devices. The act also requires that there be one voting device in each polling place that a disabled voter could use, unassisted, in place by the November elections. Due to the requirements for accessible voting equipment, "touch screen" voting equipment enables almost every voter, including voters with disabilities, to vote. Staff recommends the Diebold Touch Screen because the Diebold AccuVote TSX touch screen voting units, with integrated WPAT printer module, provides the best combination of cost, accessibility, security and integration with the County's existing election equipment and system. Mr. McCauley recommended the County keep the Optical Scan System as the core system and that the touch screen be kept as a supplement, primarily for the disabled voter. The cost of the system is completely covered by the Federal Government.

Supervisor Weygandt stated he has received comments from individuals who are concerned about not having a hard copy, or source document, to verify the voting. Mr. McCauley stated we are one of two states that require that the devices have a paper trail. In California there is also a requirement that no wireless transmission of voter results is allowed.

FACILITY SERVICES/PUBLIC WORKS BUILDING PHASE AT CABIN CREEK - Approved a consultant services agreement with Harris & Associates, Inc. in an amount not to exceed \$330,000, for construction management services for the Public Works Operations and Maintenance Facility in Truckee. MOTION Kranz/Holmes/Unanimous VOTE 4:0 (Gaines temporarily absent)

Mary Dietrich, Facility Services, stated that in June, the Board approved a construction contract with Maxim Construction, Inc., for the final phase of the Public Works Operational and Maintenance Facility which will relocate from Burton Creek to Cabin Creek. This phase includes the erection of two pre-engineered metal buildings, the installation necessary to maintain the heavy equipment and fleet vehicles located in Tahoe, and final completion of the site work. The construction management firm oversees all aspects of the project, insuring compliance with the contract, timely completion of all items and coordination efforts necessary to insure a project is completed on time. The \$330,000 for the contract was included in the project budget and is available for expenditure.

FACILITY SERVICES/RECREATION AREA #5 (MEADOW VISTS/AUBURN) - Approved use of Park Dedication Fees from Recreation Area #5, in the amount of \$57,220, for construction of the Meadow Vista Community Center and authorized the Chairman to execute the use agreement. MOTION Kranz/Holmes/Unanimous

Albert Richie, Facility Services, stated the Meadow Vista Community Center Inc., is a group that has been established for 30 years. They have been actively raising funds for the construction of a Community Center in Meadow Vista. They currently have a lease agreement on Auburn Recreation District (ARD) property to construct the facility. The facility is a 7,300 square foot structure. The top priority is to get the facility weather-tight. The community group has raised over one-half million dollars.

Supervisor Santucci raised questions about the \$57,220 and its origin. Mr. Richie explained the money comes from park mitigation fees that are collected on building permits and land subdivisions with the intent of off-setting the effect of new residents moving into the County. This is an appropriate use of the funds.

Public Comment - Earl Morgenthal, Chairman of the Meadow Vista Community Center Board, spoke about the merits of the building and the financial commitments they have received. He personally thanked Albert Richie and Supervisor Kranz for their support. Supervisor Kranz commended the work of the community.

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FACILITY SERVICES/SHERIDAN WASTEWATER POND CONSTRUCTION PROJECT – The Board took the following actions associated with the Sheridan Wastewater Pond Construction Project:

1. Resolution 2006-235 adopted authorizing a loan, in the amount of \$800,000, from the County Service Area Revolving Fund to County Service Area 28, Zone #6 (Sheridan) and approved a budget revision appropriating the loan proceeds in FY 2006/07.
 2. Resolution 2006-236 adopting a Mitigated Negative Declaration for the Sheridan Wastewater Pond Construction with the required findings in conformance with the California Environmental Quality Act.
 3. Approved plans and specifications and authorized staff to solicit bids for the project.
 4. Authorized the Facility Services Director to execute the resulting construction contract, in an amount not-to-exceed \$800,000, upon County Counsel approval, and approve any required change orders consistent with the County Purchasing Manual.
- MOTION Weygandt/Kranz/Unanimous

Jim Durfee, Facility Services Director, apologized that the items were in slightly inaccurate order. He clarified the corrections as follows:

The first resolution includes authorizing a loan, in the amount of \$800,000, from the County Service Area Revolving Fund to County Service Area #28, Zone #6 (Sheridan) and approving a budget revision appropriating the loan proceeds in FY 2006/07. Approve plans and specifications and authorize staff to solicit bids for the project. Authorize the Facility Services Director to execute the resulting construction contract, in an amount not-to-exceed \$800,000, upon County Counsel approval, and approve any required change orders consistent with the County Purchasing Manual.

The second resolution asks the Board to adopt a Mitigated Negative Declaration for the Sheridan Wastewater Pond Construction with the required findings in conformance with the California Environmental Quality Act.

Mr. Durfee stated that County Service Area #6 provides sewer services to the community of Sheridan, consisting of approximately 184 current connections. The system is under a Cease and Desist Order from the Regional Quality Control Board requiring compliance with more stringent surface water discharge requirements by December 30, 2006. With previous actions from the Board, staff has developed a project to increase the storage capacity in the pond system so treated effluent can be stored through a 100-year winter, the regulatory requirement. Next year, staff intends to return to the Board with another project further expanding the treatment plant to allow for connection of undeveloped properties within the Sheridan community.

PUBLIC WORKS – Ordinance introduced, first reading waived, creating Chapter 8, Article 8.28, for compliance with stormwater permit requirements, supporting implementation of the County's Stormwater Quality Program, pursuant to the National Pollutant Discharge Elimination System Phase 1 and 2 municipal permits. MOTION Weygandt/Gaines/Unanimous

Bob Costa, Public Works, stated these permits require the County to develop adequate legal authority to implement the requirements. The permits are issued through the State Regional Water Quality Control Board. The County was notified that the Truckee River Watershed will also be covered under the permits, and the entire County may be covered in the future. Staff compared other county ordinances and have come up with a fair and reasonable ordinance that allows flexibility. The purpose of the ordinance is to enhance and protect water quality by reducing pollutants and stormwater discharges and by controlling non-stormwater discharges. The ordinance will apply to all unincorporated areas of the County, will be administered by the Public Works Department, with the program relying on the involvement and support of other County departments. The ordinance prohibits non-stormwater discharges with limited exceptions. Violations of the ordinance will be considered a misdemeanor. A fee structure will be considered at a later time. The draft ordinance was distributed for review to the Chambers of Commerce, Building Industry Association, Board of Realtors, Placer County Contractor's Association, numerous business associations and property owner associations, all the Municipal Advisory Committees, public utility districts and water agencies, to name a few. A few comments were received relating to formatting and grammatical changes.

Anthony La Bouff, County Counsel, thanked Public Works Director for the department's tolerance in pursuing this process. He discussed the seriousness of discharge of non-stormwater discharges. There was discussion regarding regulatory and water quality agencies in Tahoe and charging fees and implementation.

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PLANNING/APPEAL/MAGGI COUNTRY ESTATES/APPEAL OF CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP "MAGGI COUNTRY ESTATES" (PSUBT-20060221) MITIGATED NEGATIVE DECLARATION - Public hearing to consider an appeal from Dr. Janis Cox Jones of specific conditions of approval included in the project as approved by the Planning Commission. Specifically, the appellant has appealed the approval of Condition 80 related to allowing the raising and keeping of livestock within the subdivision. **The Applicant and the Appellant have agreed to a modification of the condition to allow horses to be kept on lots within the project.** The property (APN #037-101-051) is located at 3918 Auburn-Folsom Road in the Loomis area, and is currently zoned RA-B-100 (Residential-Agricultural, Combining Building Site of 100,000 square feet). The Board of Supervisors will also consider the adoption of a Mitigated Negative Declaration for the project (EIAQ-3798).
MOTION Gaines/Weygandt/Unanimous to close the public hearing and to uphold the appeal with the modification of Condition #80.

Michael Johnson, Planning Director, said the 46 acre parcel is located on the west side of Auburn Folsom Road, north of Horseshoe Bar, in the Loomis area, and is zoned as 2.3 acre minimum lot size. The Community Plan designation for the site is Rural-Residential, 2.3 to 4.6 acre minimum lot size. The Planning Commission unanimously approved the tentative subdivision map for the proposed project on May 11, 2006, to create a 17-lot residential subdivision. At this meeting, there was discussion about Condition 80 of the Conditions of Approval, regarding animal raising and keeping. Condition 80 states animal raising and keeping, including livestock and cattle, shall be permitted on each residential lot within the subdivision. Some of Planning Commissioners were concerned with having this as a condition of approval, that it was a mandate that could not be modified. Other commissioners felt that having this condition was important to maintain the rural residential lifestyle of the Loomis Basin. A motion to eliminate Condition 80 failed; a subsequent motion to revise Condition 80 to be an advisory comment indicating that livestock may be allowed passed unanimously. On May 22, 2006, Dr. Janis Cox Jones submitted a letter appealing the Planning Commission's approval of the subdivision, specifically Condition 80. The appellant is concerned that without the modified language the development could adopt Covenants, Conditions & Restrictions that could prohibit the keeping of livestock and cattle. The appellant and applicant have met and have reached an agreement regarding Condition 80. A mitigated negative declaration has been prepared for the project in accordance with State law, with the incorporation of the mitigation measures that are included in the staff report. Based upon the agreement reached between the appellant and the applicant, staff recommended the Board grant the appeal and approve the subdivision, based on the findings and subject to the conditions of approval, including the revised Condition 80. A letter was submitted to the Clerk of the Board from a resident of El Dorado County, expressing concern about maintaining horses on the properties.

Dr. Janis Cox, appellant, spoke in support of the revised Condition 80 and questioned if the land development review could raise the question of livestock earlier in the process.

Several individuals expressed concerns about the concept of supporting one horse per acre, the raising 4-H animals and disclosure by the Home Owner's Association if animals are acceptable.

The Board discussed the need for full disclosure of animal restrictions by the Home Owner's Association. Michael Johnson responded that staff has looked at this issue and with the mandatory pre-development meeting process in place they have determined this is where the question should be raised. Anthony La Bouff, County Counsel, stated he would like to separate the project. The property owner has worked out an agreement with the appellant regarding Condition 80. He recommended taking action on this item separately from the process issues that have been discussed.

Michael Johnson stated he wanted to have the correct wording for the revised Condition 80, as stated on Page 195 of the agenda package. The wording should read: ***No prohibition shall be allowed to be included as any part of any condition, covenant and/or restriction recorded against any lot within the Maggi County Estate Subdivision which would prohibit the keeping of up to one horse per acre, based upon the gross size of the lot, as provided for by Section 17.56.050(F)(9) of the Placer County Code.***

Mr. Maggi, applicant, stated that he and Dr. Cox were in agreement about having one animal per acre.

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COUNTY EXECUTIVE/REDEVELOPMENT AGENCY - Resolution 2006-237 adopted approving the use of up to \$4,600 of tax increment bond proceeds to purchase a permanent drainage easement for the Jackpine Street Public Parking Lot, made findings required by Health and Safety Code Section 33445, and authorized the Chief Assistant CEO-Redevelopment Director or designee, to sign all related documents, subject to the review of Agency Counsel.

MOTION Kranz/Gaines/Unanimous VOTE 4:0 (Holmes temporarily absent)

Rich Colwell, Chief Assistant County Executive, stated that the Board previously approved the lease of this property. This is the last action required for Public Works to begin work later this summer. The lot will provide parking for 40 vehicles.

ADJOURNED AS THE PLACER COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE REDEVELOPMENT AGENCY BOARD

REDEVELOPMENT AGENCY BOARD - Resolution 2006-238 adopted approving the use of up to \$4,600 of tax increment bond proceeds to purchase a permanent drainage easement for the Jackpine Street Public Parking Lot, made findings required by Health and Safety Code Section 33445, and authorized the Chief Assistant CEO-Redevelopment Director or designee, to sign all related documents, subject to the review of Agency Counsel. MOTION Kranz/Gaines/Unanimous

ADJOURNED AS THE REDEVELOPMENT AGENCY BOARD AND RECONVENED AS THE PLACER COUNTY BOARD OF SUPERVISORS

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

- (a) Pacific Gas and Electric Company vs. State Board of Equalization, et al, San Joaquin County Superior Court Case No.: CV 026962 CPH – *The Board met with Counsel to discuss Pacific Gas & Electric Company and voted to extend the contract for outside counsel from \$50,000 to \$75,000 in that matter.*
- (b) Susan Porter vs. Placer County Department of Health and Human Services, et al., Placer County Superior Court Case No.: SCV-19561 – *The Board accepted the defense of the named county employee and directed County Counsel to provide that defense with the standard reservations.*
- (c) Bickford Ranch Heritage Coalition of WPCARE vs. County of Placer, Placer County Superior Court Case Number: SCV12793, Court of Appeal, Third Appellate District Case No.: C047630 – *The Board had conference with its counsel and gave direction.*
- (d) Town of Loomis, vs. Placer County, Placer County Superior Court Case No.: SCV14231 - *The Board had conference with its counsel and gave direction.*
- (e) Deborah Doerfler-Casner vs. County of Placer, U.S.D.C. Eastern District Case No.: CIV.S-03-1864 WBS KJM – *The Board was advised that the Doerfler-Casner vs. County of Placer matter is set for trial and the trial has been moved to the middle of August of this year.*
- (f) Diane Barsotti-Painter, WCAB Claim, Claim No.: SAC0349312 – *The Board heard from the Risk Manager and gave direction.*
- (g) John Pellini, WCAB Claim, SAC291530 and SAC327306 - *The Board heard from the Risk Manager and gave direction.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – *The Board met with its negotiators with regards to PPEO, DSA, and Management negotiations.*

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

ITEMS FOR INFORMATION:

26. TREASURER/TAX COLLECTOR - Treasurer's Statement for the month of June 2006.

ADJOURNMENT – The next scheduled meetings are Budget Workshops, August 15, 16 & 17, 2006. The next regularly scheduled meeting is Tuesday, August 22, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Kathy Zick
Supervising Board Clerk

DATE August 1, 2006

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The Placer County Board of Supervisors met in a special session at 9:00 a.m., Tuesday, August 15, 2006, at the Placer County Administrative Center, Conference Room A, 175 Fulweiler Avenue, Auburn, CA 95603. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – None.

COUNTY EXECUTIVE – Opening comments and overview.

BUDGET WORKSHOP SCHEDULE – Conducted Budget Workshops with the following departments: Sheriff, Community Development Resource Agency, Building Inspection, Engineering & Surveying, Planning, Agricultural Commissioner.

LUNCH - Placer County Administrative Center, Conference Room B, 175 Fulweiler Avenue, Auburn.

BUDGET WORKSHOP SCHEDULE – Conducted Budget Workshops with the following departments: Assessor, Treasurer/Tax Collector, Auditor-Controller and County Clerk-Recorder.

COUNTY COUNSEL/CLOSED SESSION REPORT - *There was no discussion with regard to PPEO, DSA, or Management.*

PERSONNEL SESSION/LABOR RELATIONS

(A) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

ADJOURNMENT – To Budget Workshops Wednesday, August 16, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a special session at 9:00 a.m., Wednesday, August 16, 2006, at the Placer County Administrative Center, Conference Room A, 175 Fulweiler Avenue, Auburn, CA 95603. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – None.

BUDGET WORKSHOP SCHEDULE – Conducted Budget Workshops with the following departments: Administrative Services, Board of Supervisors, Personnel, County Counsel, and County Executive Office, Child Support Services.

LUNCH – Placer County Administrative Center, Conference Room B, 175 Fulweiler Avenue, Auburn.

BUDGET WORKSHOP SCHEDULE – Conducted Budget Workshops with the following departments: Health & Human Services, Veterans Services, Farm Advisory and Library.

COUNTY COUNSEL/CLOSED SESSION REPORT – *There was no discussion with regard to PPEO, DSA, or Management.*

PERSONNEL SESSION/LABOR RELATIONS

(A) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

ADJOURNMENT – Adjourned to the Budget Workshop Thursday, August 17, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a special session at 9:00 a.m., Thursday, August 17, 2006, at the Placer County Administrative Center, Conference Room A, 175 Fulweiler Avenue, Auburn, CA 95603. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Rosemary Frieborn, Friends of Placer County Animal Shelter, submitted recommended revisions to the kennel attendant job description, and provided dog license fee information for Board consideration. She discussed the scope of the Animal Control Advisory Committee and indicated that she felt the budget for Animal Control was inadequate.

BUDGET WORKSHOP SCHEDULE – Conducted Budget Workshops with the following departments: Facility Services, Public Works, District Attorney, and Probation.

COUNTY EXECUTIVE – Wrap up. The Board approved the following items for inclusion in Placer County's Final Budget.

- \$30,000 increase for the Placer County Arts Council's contract budgeted amount.
- \$415,000 increase to provide funding for the Sheriff's Auburn Justice Center furniture and equipment from Facility Services.
- \$1.5 million (\$500,000 Sheriff's fund and \$1 million General Fund) to be set aside in the County Executive Office Public Safety Budget for a multimission (law, search and rescue and fire) helicopter. Staff to return in 60-90 days with full cost of program, both one time and operating, and identify city partners and funding for the project. MOTION Kranz/Gaines/Unanimous
- Biomass manager for County Executive Office to be converted from contract employee to a permanent allocation.
- Clerical reallocation for County Executive Office – two administrative secretary allocations to be converted to two executive secretary allocations.
- Additional accountant auditor position and funding of \$82,308 for Auditor Controller.
- \$31,000 for half-year funding and an additional administrative secretary allocation for Personnel.
- \$114,000 for an Animal Control Contingency Fund.
- \$300,000 Road Overlay Program funding.
- \$235,000 for seven month funding for two probation officers to increase supervision for Probation's Driving Under the Influence Program.

The Board concurred with staff recommendations to defer funding decisions for the Sheriff's request for a Boat Barn (\$200,000) and seven new staff for Jail Booking Stations (\$600,000).

Board approved items presented by staff, over the three days of workshops, for inclusion in Placer County's final budget in the amount of \$47 million.

MOTION Kranz/Holmes/Unanimous 4:0 (Gaines temporarily absent)

Therese Leonard, County Executive Office, said the net change to the County's budget exclusive of these items is \$47 million. Of that amount, \$25 million is from additional carry over fund balance throughout the County Budget and additional revenue of \$21 million.

COUNTY COUNSEL/CLOSED SESSION REPORT - *There was no discussion with regard to PPEO, DSA, or Management.*

PERSONNEL SESSION/LABOR RELATIONS

(A) **\$54957.6 - CONFERENCE WITH LABOR NEGOTIATOR**

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

ADJOURNMENT – Adjourned to regular meeting August 22, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk

DATE August 17, 2006

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PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, August 22, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Weygandt, Holmes, and Kranz present, Chairman Santucci absent. Vice Chairman Kranz presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Several Placer County retired employees asked the Board not to alter the County paid health benefits. Bill Doss, American Cancer Society volunteer, thanked the Board for its support and encouraged annual prostate testing.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Kranz reported on a trip he and staff will be taking to Washington D.C., to discuss Biomass issues.

AGENDA – Item #27 and #32 were removed from the agenda.

CONSENT AGENDA - Consent Agenda approved with action as indicated. The Board also convened as the In-Home Supportive Services Public Authority for Item #18.

MOTION Holmes/Gaines/Unanimous VOTE 4:0 (Santucci absent)

1. **ORDINANCES** – Second reading:
 - a. Public Works – Ordinance 5430-B adopted creating Chapter 8, Article 8.28, for compliance with stormwater permit requirements, supporting implementation of the County's Stormwater Quality Program, pursuant to the National Pollutant Discharge Elimination System Phase 1 and 2, municipal permits.
2. **WARRANT REGISTERS** – July 7, 14, 21 28 and August 4, 2006.
3. **AGRICULTURE** - Resolution 2006-240 adopted authorizing the Agricultural Commissioner/Sealer to sign State Contract #06-0293 regarding Sudden Oak Death Program activities for FY 2006/07, allowing for reimbursement from the State of up to \$58,904.95.
4. **AUDITOR/CONTROLLER** – Resolution 2006-241 adopted approving a list of funds/subfunds for FY 2006/07, available in the Placer County Performance Accounting Series Financial System (PAS).
5. **BOARD OF SUPERVISORS:**
 - a. Resolution 2006-242 adopted in support of the 2nd Annual "Lake Tahoe Triathlon" to be held on Saturday, September 16, 2006 in and around Kings Beach State Recreation Area.
 - b. Resolution 2006-239 adopted honoring State Senator Sam Aanstad for his tenacious commitment to the return of the California Highway Patrol Valley Air Operations Unit to the Auburn Municipal Airport in Placer County.
 - c. Proclamation declaring September 2006 as Prostate Cancer Awareness Month in Placer County.
 - d. Approved minutes of June 27 and July 10, 11, 2006.
6. **COMMITTEES & COMMISSIONS:**
 - a. Assessment Appeals Board – Approved reappointment of Kevin P. Eckard to Seat 3 (District 3), as requested by Supervisor Holmes.
 - b. Auburn Veterans Memorial Hall Board – Approved reappointment of Courtland D. Bradbury, Rose M. Agles, Bonnie Bradbury (Alternate), George Voyiatzes, Andrew F. Anderson (Alternate), H.L. "Hap" Arnold, Elmer Frank (Alternate), Jeanann R. Carlson, Coralee Arnold (Alternate), William B. Nolan and Dan Sokol (Alternate); and appointment of Laurie Hubbard, Helen Kleckner, Jean Wells (Alternate), Bonnie B. Potter MD and Bruce T. Johnston (Alternate), as requested by Supervisor Holmes.
 - c. Colfax Veterans Memorial Hall Board – Approved reappointment of Harry Green, Herb Lyman (Alternate), Chris Hughes (Alternate); Diephie Mazankowski, Charles R. Gray, Terri Sultana and Betty Lugena (Alternate); and appointment of Bob Candler, Robert Barnes (Alternate) and Tom Mason (Alternate), as requested by Supervisor Kranz.
 - d. Foresthill Veterans Memorial Hall Board – Approved reappointment of Stephen A. Coffman, Ronald L. Roussey (Alternate); Vincent L. Robinson, Travis Reid (Alternate); Francis A. Stevenson, John Clark (Alternate); Stephan Cannizzaro, Travis Reed (Alternate); Marjorie D. Jones, Sarah Bruno (Alternate) and Vicki Haskins (Alternate), as requested by Supervisor Kranz.

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

- e. Lincoln Veterans Memorial Hall Board – Approved reappointment of George Schwartz, Richard L. Lercari, Len Valasek, Bruce L. Duncan (Alternate); Samuel J. Silvas, John McCulloch (Alternate) and Manuel Rivas (Alternate); and appointment of Victor Ioppolo (Alternate) and Thomas E. Davenport (Alternate), as requested by Supervisor Weygandt.
 - f. Loomis Veterans Memorial Hall Board – Approved reappointment of Thomas Seth, Earl H. Chinnock, George Makimoto, Donald Monroe (Alternate) and Charles Peterson; and appointment of Russ Kelly and Robert Miller, as requested by Supervisor Holmes.
 - g. Roseville Veterans Memorial Hall Board – Approved reappointment of John Schance, Eugene Nauta, Norman R. Harris (Alternate); John Piches (Alternate), Edward Wycoff (Alternate), Joseph Cavanagh, Demetrio "Monty" Montoya (Alternate); and appointment of William Donaldson, Robert Lightfield (Alternate) and John C. Smith (Alternate), as requested by Supervisor Santucci.
7. COMMUNITY DEVELOPMENT RESOURCE AGENCY/BUILDING - Resolution 2006-244 adopted authorizing the Chief Building Official to enter into a contract with Coastland Civil Engineering, Inc., to provide inspection services for the Northstar Village Project with payment based on funds provided by the applicant.
8. COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING - Approved agreement authorizing payment of \$64,277 from the Planning Department's FY 2006/07 Budget to the Placer County Air Pollution Control District for the provision of air quality services, and authorized the County Executive Officer to sign.
9. COUNTY CLERK/ELECTIONS - Approved one-year lease agreement extension, including annual automatic renewal, with DFM Associates, in the amount of \$109,824.24, for the Election Information Management System ("EIMS") PC-Based Client/Server Software, including right to lease and use, maintenance and related support.
10. COUNTY EXECUTIVE:
- a. Approved merit increase for Jim Gandley, Health & Human Services Director, from Grade 490, Step 4 to Grade 490, Step 5, effective August 19, 2006.
 - b. Amended contract with Goodwin Consulting Group, in an amount not to exceed \$100,000, for a new total contract amount of \$449,000, to provide additional studies and technical expertise to address capital facilities, services and infrastructure costs associated with development projects in western Placer County and authorized the County Executive Officer to execute.
11. COUNTY EXECUTIVE/ECONOMIC DEVELOPMENT – Authorized the Chairman to sign a letter in support of Assembly Bill 2860 (Ted Lieu), establishing the California Commission on Industrial Innovation to restore California's leadership position in industrial innovation.
12. COUNTY EXECUTIVE/EMERGENCY SERVICES:
- a. Ratified the North Tahoe Fire Protection District Ordinance 2-2006, "Proposed Amendments to the Fire Prevention Code of the North Tahoe Fire Protection District" and directed staff to transmit the determination within 15 days.
 - b. Resolution 2006-245 adopted replacing the Ponderosa Fire Safe Council by establishing the Placer Sierra Fire Safe Council; approved an increase from 45,000 to 87,500 acres and modified the "new" Council core group membership to accommodate the increased acreage and population; authorized the Chairman to sign the new Placer Sierra Fire Safe Council Partnership Agreement and directed the Clerk of the Board to post vacancies to the Council.
13. DISTRICT ATTORNEY - Resolution 2006-246 adopted authorizing the District Attorney to submit a proposal and execute the grant award agreement for the Placer County Automobile Insurance Fraud Program for FY 2006/07.
14. FACILITY SERVICES:
- a. Auburn Veterans Memorial Hall Board of Trustees – Approved expanding the Auburn Veterans Memorial Hall Board of Trustees from ten (10) to eleven (11) trustees to allow representation by the Marine Corps League, as recommended by the Board of Trustees of the Auburn Veterans Memorial Hall, and appointed Terry Crouson as the primary representative, as recommended by the Marine Corps League.
 - b. Cabin Creek Public Works Facility Operations & Maintenance Facility, Building Phase, Project #4625C - Ratified the third amendment to the Consultant Services Agreement with Carter & Burgess, Inc., increasing the contract by \$15,000, for a total not-to-exceed amount of \$797,000, for architectural and engineering services for the project located in the Tahoe area.

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

- c. Children's Emergency Shelter, Project #4677 & B Avenue Extension - Ratified the second amendment to the Consultant Services Agreement with The Design Partnership, increasing the contract amount by \$36,020, for a total not-to-exceed amount of \$751,520, for architectural and engineering services for the project located in the Placer County Government Center in North Auburn.
 - d. Dry Creek Fire Station Structural Repairs, Project #4780 - Approved plans and specifications and authorized staff to solicit bids for the project; adopted Resolution 2006-247 authorizing the Facility Services Director to execute the resulting construction contract, in an amount not-to-exceed \$110,000, upon review and approval by County Counsel, provide authority to approve any required change orders consistent with the County Purchasing Manual and approved a budget revision transferring \$155,000 from the Dry Creek Fire County Service Area to the project account in the Capital Improvement Projects Fund.
 - e. Sewer Maintenance District #3 - Resolution of Intention 2006-248 adopted setting the time and date to hold a public hearing to consider the annexation of property owned by Gerald Hawks, APN 036-140-005, into the district. Subject property is located on Lake Forest Drive in Loomis.
15. HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE:
- a. Approved amendment to Contract Employee Agreement #12089 with Olga Ignatowicz, M.D., extending the current contract period to November 27, 2006 and increasing the contract by \$72,562, for a revised total contract amount of \$371,893, for the provision of psychiatric services.
 - b. Approved amendment to the interagency agreement between the In-Home Supportive Services Public Authority and Placer County.
16. HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE:
- a. Approved joint funding agreement with Placer County Office of Education for FY 2006/07, in the amount of \$105,426.09 (County contribution \$47,441.74), to defray the costs for an Integrated Services Manager - Foster Youth Services.
 - b. Approved agreement with Eastfield Ming Quong, Inc., dba EMQ Children & Family Services for FY 2006/07, in the amount of \$134,000, to provide comprehensive specialized mental health services, training and consultation services.
 - c. Approved agreements with Wonder, Inc., and Big Brothers/Big Sisters of Greater Sacramento for FY 2006/07, for a total amount of \$40,000 (\$20,000 each contract), to provide mentoring services to Placer County youth and authorized the Health & Human Services Director to sign.
17. HEALTH & HUMAN SERVICES/COMMUNITY HEALTH - Approved agreement with Sierra Foothills AIDS Foundation for HIV/AIDS Treatment Services from August 1, 2006 through July 31, 2007, in the amount of \$233,893, and authorized the Health & Human Services Director to sign amendments.
18. IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY:
- a. Approved Resolution 2006-249 adopting the Placer County In-Home Supportive Services (IHSS) Public Authority Conflict of Interest Code, and
 - b. Approved amendment to the Interagency Agreement between the IHSS Public Authority and the County, and authorized the Chairman of the IHSS Public Authority Board to sign.
19. PROCUREMENT SERVICES - Authorized the Purchasing Manager to sign the following:
- a. Blanket Purchase Order #12926, Credit Card Fuel Purchases/Public Works - Approved Change Order #2 with Voyager Fleet Services, in the amount of \$115,000, and extend the expiration date through October 31, 2006.
 - b. Blanket Purchase Order #13427, Toxicology Laboratory Services/Sheriff-Coroners Office - Approved Change Order #1 with National Medical Services, in the amount of \$30,000.
 - c. Blanket Purchase Orders, ACORN Payroll Personnel System/Auditor-Controller/Personnel Approved purchase orders to various firms for support services, in the total not-to-exceed amount of \$240,000.
 - d. Purchase, CNG Fueled Street Sweeper/Public Works - Approved purchase from GCS Western, in the amount of \$227,648.19.

PLACER COUNTY BOARD OF SUPERVISORS

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20. PUBLIC WORKS:

- a. Abandonment - Resolution 2006-250 adopted abandoning a portion of a Public Utility Easement on Lot 307, Alpine Meadows Estates Subdivision, Unit #9.
- b. Barton Road Bridge at Miners Ravine Replacement Project – Resolution 2006-251 adopted approving a Mitigated Negative Declaration with the required findings for the project.
- c. Federal Transit Administration Section 5307 Grant – Resolution 2006-252 adopted authorizing the Public Works Director to execute agreement with the Federal Transit Administration for Urbanized Formula Funds for Placer County Transit Preventive Maintenance and Americans with Disabilities Act transit service.
- d. Kings Beach Watershed Improvement Project – Resolution 2006-253 adopted authorizing the Chairman to sign Professional Services Agreement #73218, Amendment #1, with ENTRIX, Inc., in the amount of \$24,965, for a Kings Beach Watershed Water Quality Planning Study and authorizing the Public Works Director to approve and sign future amendments up to \$2,500.
- e. Tahoe Best Management Practice Retrofit Program – Authorized a one-year extension of a Memorandum of Understanding with the Tahoe Resource Conservation District for the 2006 season, in the amount of \$20,000, for public outreach on stormwater management.
- f. Tahoe City Residential Erosion Control Project – Resolution 2006-254 adopted authorizing the Chairman to sign Professional Services Agreement #73251 with Camp Dresser & McKee, Inc., in the amount of \$134,605, and authorizing the Public Works Director to approve and sign future amendments up to \$13,460.
- g. Willow Creek Drive Extension Project – Resolution 2006-255 adopted approving project plans and specifications and authorizing the Chairman to sign the cover sheet and authorizing the Public Works Director to advertise for bids.

21. REVENUE SHARING – In approving the following appropriations, the Placer County Board of Supervisors makes the finding that each and every approved contribution serves a public purpose by promoting the general welfare of the County and its inhabitants; therefore, the County benefits.

- a. Approved appropriation of \$250 in Revenue Sharing monies to the Auburn Community Concert Association's 61st Annual Concert Season, as requested by Supervisor Gaines Holmes.
- b. Approved appropriation of \$250 in Revenue Sharing monies to Loomis Basin Horseman's Association for trail maintenance, as requested by Supervisor Weygandt.
- c. Approved appropriation of \$1,250 in Revenue Sharing monies to the PEACE for Families 11th Annual Luncheon at the Sun City Timber Creek Lodge, as requested by Supervisor Santucci (\$250), Supervisor Weygandt (\$250), Supervisor Holmes (\$250), and Supervisor Gaines (\$500).

22. SHERIFF:

- a. Contract - Approved amendment to Contract #CN20503, with Steven Reader and Associates, increasing the contract by \$3,600, for a total contract amount of \$51,600, for Criminal Justice Project planning and liaison consultant services, for contract term ending June 30, 2006.
- b. Purchase – Approved a budget revision to adjust FY 2006/07 Final Budget for the early purchase of a logging voice recorder for Tahoe Dispatch, in the amount of \$25,000, added the recorder to the Master Fixed Asset List and authorized the Purchasing Manager to execute any related documents.
- c. Purchase - Approved the early purchase and fixed asset modification of two imaging scanners from the Jail COPS Supplemental Law funds, in the total amount of \$14,000, and authorized the Purchasing Manager to execute any related documents and to adjust the final budget.

End of Consent Agenda

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

ADMINISTRATIVE SERVICES/PROCUREMENT – Authorized the Purchasing Manager to sign:

- a. **Purchase, CNG Fueled Vector Truck/Public Works** – Approved purchase from Ricker Machinery, in the amount of \$416,036.25, to be used for sewer cleaning services.
MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Santucci absent)

COUNTY EXECUTIVE/EMERGENCY SERVICES – Accepted the Truckee Fire Protection District (FPD) Plan for Services for County Service Area #28, Zone of Benefit #16 (Serene Lakes Fire) and County Service Area #28, Zone of Benefit #143 (Summit Area Fire); as referenced in Nevada County Local Agency Formation Commission (LAFCo) Resolution 06-08; directed the Auditor to cancel reserves in the zones of benefits, authorized transfer of the fund balances (unreserved and undesignated) to Truckee FPD; and Resolution 2006-256 adopted dissolving the Zones of Benefit.
MOTION Holmes/Gaines/Unanimous VOTE 4:0 (Santucci absent)

Rui Cunha, Program Manager, Office of Emergency Services, spoke about the Nevada County LAFCo May 18, 2006 Resolution 06-08, approving the plan for transferring fire protection and emergency services from Donner Summit Public Utility District to the Truckee Fire Protection District. The resolution transferred most revenues generated within the zones of Donner Summit, along with transferring real property and fund balances. The Truckee Fire Protection District will pick up services on behalf of Donner Summit and Serene Lakes. This action is fully supported by the Truckee Fire Protection District, the Donner Summit Public Utility District and the associated homeowner's association. The action requested directs staff to complete the administrative actions within Placer County, to finish the transfer of these services. The zones were created specifically for the provision of fire protection services. Since the County will no longer be contracting for services in these zones, the need for the zones no longer exist. The requested resolution will dissolve these zones.

COUNTY EXECUTIVE/RISK MANAGEMENT - Resolution 2006-257 adopted proclaiming September 2006 as "Placer County Combined Giving Campaign Month" and authorizing solicitation of County employees as part of the 2006 campaign.
MOTION Weygandt/Gaines/Unanimous VOTE 4:0 (Santucci absent)

Mary Ellen Peters, Risk Management Director, stated this is the 14th year that Placer County employees have participated in the Combined Giving effort. Sheriff Ed Bonner has agreed to be the Chairperson. There are five community partners: Community Health Charities, Placer Community Foundation, Metropolitan Arts Partnership, Earth Share and United Way. There are also three internal funds from the County: the Trust Fund for Animals, Placer Legacy & Open Space and the Employee's Scholarship Fund.

COUNTY EXECUTIVE/SECURE RURAL SCHOOLS & COMMUNITY SELF-DETERMINATION ACT OF 2000 (HR 2389), FEDERAL FY 2006/07 FUNDING - Authorized public noticing to announce the County's planned use of Secure Rural Schools & Community Self-Determination Act of 2000 (HR 2389), Title III discretionary funds for hazard mitigation and wildfire protection activities, for a total of \$325,000 and reiterated support for reauthorization of the Secure Rural Schools & Community Self-Determination Act of 2000. MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Santucci absent)

Mary Herdegen, County Executive Office, advised HR 2389 was enacted in 2000 to provide rural counties with a predictable level of funding for schools and roads. This funding was authorized for six years, this being the last year of funding and was intended to offset the effect of decreased revenue to counties due to declining timber harvest and other income generated activities on Federal land. This Federal legislation was voluntary for counties to select a stable funding source rather than the timber receipt revenue method, which was established by law in 1908. More than 85% of eligible counties in the Country opt for the HR 2389 funding versus the 1908 Act. The U.S. Department of Agriculture is working with Congress to enact a one year extension of the program. The Secure Rural Schools & Community Self-Determination Act requires that 15-20% of the funds allocated to counties are to be used for Title II/Title III projects. In May 2005, the Board directed 20% of the funds be spent on eligible Title III Discretionary Projects. This year, the County is recommending 11 specific hazard mitigation and wildfire protection projects, as found on Page 311 of the Staff Report.

Supervisor Weygandt inquired about fuel brake work and if it was being handled in a holistic method. Thomas Miller, County Executive Officer, stated the County has been involved in fuel brake areas and the Annual Defensible Space Program inspections. These projects will continue.

Supervisor Holmes thanked staff for the well-written report and was pleased to see the allocation of these funds to help hazard mitigation and wildfire protection. He thanked Supervisor Kranz for taking the lead on many of the issues. Supervisor Kranz stated this information was what he and Supervisor Holmes had in mind to deal with their heavily wooded districts. He complimented staff on their work and urged them to continue.

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

~~ITEM REMOVED/HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE~~ - Approve the revenue agreement with the State Department of Mental Health, Conditional Release Program for FY 2006/07, in the amount of \$299,965, for mental health services.

PUBLIC WORKS/FORESTHILL ROAD SLIDE REPAIR PROJECT - Resolution 2006-243 adopted authorizing the Public Works Director to award and execute the construction contract, up to an amount of \$2,800,000, and approve contract change orders up to 10%.
MOTION Holmes/Gaines/Unanimous VOTE 4:0 (Santucci absent)

Peter Kraatz, Deputy Director, Public Works, explained that Foresthill had two major embankment failures last spring in which the Department made immediate temporary repairs. Public Works completed a detailed geotechnical review of the site and prepared a detailed construction proposal for permanent repair. Staff is requesting authorization for the Public Works Director to execute the construction contract. Foresthill Road is the only improved roadway that provides access to residents of the Foresthill Community. This project is expected to be funded 100% by Federal Emergency Relief Funds for Federally Owned Roads. As a secondary funding source, the Department has also applied for FEMA emergency relief funds that would reimburse the county for 80% of the project costs. The project is expected to be completed by next spring.

ADJOURNED AS THE PLACER COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE REDEVELOPMENT AGENCY BOARD

REDEVELOPMENT AGENCY BOARD - Amended contract with Economic Planning Systems from \$65,000, to an amount no- to-exceed \$92,000, for Property Development Advisory Services in North Lake Tahoe and authorized the Purchasing Manager to sign.
MOTION Weygandt/Gaines/Unanimous VOTE 4:0 (Santucci absent)

Rae James, Redevelopment Deputy Director, explained that Economic Planning Systems (EPS) has been asked to attend and advise the Tahoe Regional Planning Agency, Pathway 2007 meetings. Projected activities will require a \$27,000 amendment to EPS's contract.

REDEVELOPMENT AGENCY BOARD - Awarded Request for Qualifications #9569 for legal services and approved three contracts between the Redevelopment Agency and the Selected Law Firms, totaling a not-to-exceed amount of \$250,000, and authorized the Procurement Manager to sign the contracts, subject to the review of Agency Counsel. MOTION Weygandt/Holmes/Unanimous VOTE 4:0 (Santucci absent)

Rae James, Redevelopment Deputy Director, advised the Agency issued a Request for Qualifications on April 10, 2006 resulting in three firms selected: McDonough Holland & Allen PC, in the amount of \$100,000; Meyers, Nave, Riback, Silver & Wilson, in the amount of \$75,000 and Goldfarb & Lipman LLP, in the amount of \$75,000. Each of the three recommended law firms has an area of practice or specialization which addresses a specific redevelopment area of law. The contracts will have one year expiration with two annual options. There is sufficient funding in the Agency's 2006/07 budget to cover the three year contracts.

ADJOURNED AS THE REDEVELOPMENT AGENCY BOARD AND RECONVENED AS THE PLACER COUNTY BOARD OF SUPERVISORS

SHERIFF - Approved cooperative agreement between Sheriff Office and Caltrans from July 1, 2006 through June 30, 2009, in the total contract amount of \$557,795, for roadside litter removal. The amount allocated for FY 2006/07 is \$179,306.
MOTION Weygandt/Holmes/Unanimous VOTE 4:0 (Santucci absent)

Barbara Besana, Sheriff Department, stated this contract is for the use of inmate workers for beautification of Placer County roads.

SHERIFF - Approved the revised Law Enforcement Services contract between the Placer County Sheriff-Coroner-Marshall and the City of Colfax, from July 1, 2006 through June 30, 2009, for law enforcement services for the City of Colfax. The annual amount of the contract for the first year is \$606,021. This contract includes the annual base law enforcement services adjustment plus ¾ of the year funding for a traffic officer. MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Santucci absent)

Barbara Besana, Sheriff Department, advised this contract was brought before the Board in July 2006 and was scheduled to be approved by the City of Colfax the same day. The Colfax City Council was concerned about their ability to fully fund the traffic officer position from their General Fund. They deferred approval of the contract to meet with the Sheriff's Department after further review of their budget.

PLACER COUNTY BOARD OF SUPERVISORS

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COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

- (a) Sierra Watch, et al vs. Placer County, et al, Placer County Superior Court Case No.: SCV-16652
The Board extended the contract with Rick Crabtree for another \$25,000, for a total of \$300,000.
- (b) Deborah Doerfler-Casner vs. County of Placer, U.S.D.C. Eastern District Case No.: CIV.S-03-1864
WBS KJM – *The Board received a status report on the pending litigation occurring in the Federal District Court.*
- (c) County of Placer vs. Nacht and Lewis Architects, Inc., Placer County Superior Court Case No.: SCV-17993 – *The Board gave direction to Counsel.*

(2) Anticipated Litigation – *The Board gave direction to Counsel.*

- (a) Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9: one potential case.

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – *The Board met with its labor negotiators with regard to PPEO/DSA & Management and gave direction to its negotiators.*

- (a) Agency negotiator: CEO/Personnel Director
Employee organization: PPEO/DSA/Management

ADJOURNED AS THE PLACER COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE PLACER COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

(C) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – *The Authority had discussion with its negotiators and gave direction.*

- (a) Authority negotiator: Executive Director, Employee organization: United Domestic Workers of America.

ADJOURNED AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED AS THE PLACER COUNTY BOARD OF SUPERVISORS

ITEM REMOVED/BOARD OF SUPERVISORS – Identification badges.

PUBLIC WORKS/PLACER COUNTY TRANSPORTATION PLANNING AGENCY – Transportation infrastructure finance, Informational item.

Rick Dondro, Assistant Director of Public Works, introduced Celia McAdam, Executive Director of the Placer County Transportation Planning Agency (PCTPA). Ms. McAdam gave a Power Point presentation illustrating problems, immediate agendas, and funding strategies. She stated that strong future growth, an anticipated 546 million residents by 2030, will increase demand for regional transportation as costs rise. Traditional sources are not keeping pace and there is no ongoing locally controlled funding. Project costs are increasing at about 72% since 2001, with candidate project costs to 2030 of \$5.45 billion and expected funding by 2030 of \$1.65 billion, leaving a project deficit of \$3.8 billion.

Supervisor Gaines thanked PCTPA for working on both East bound and West bound lanes of I-80 with the \$75 million that was originally designated for only one direction.

Supervisor Weygandt expressed concern about right-of-way acquisitions taking so long because they become more expensive. He asked if construction would begin on projects that had ongoing issues such as right of ways. Ms. McAdams replied that acquisitions are moving forward rapidly. She stated that a contract cannot go out until funding is secured. Everything but construction can move forward.

Ms. McAdam stated that according to the Transportation Expenditure Plan, recommended by the Funding Strategy Steering Committee, the immediate agenda includes:

- Interstate 80 widening in Roseville (the "bottleneck")
- SR 65/I-80 Interchange Improvements
- I-80 improvements east of SR 65
- Lincoln Bypass (phases 1 & 2)
- SR 65 Widening between I-80 and Lincoln
- SR 49 improvements
- Local Transit improvements, including senior and disabled services
- Bus Rapid Transit and Regional Rail service
- Bicycle and Pedestrian Improvements
- Tahoe improvements
- Local Road Maintenance
- Placer Parkway

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Ms. McAdam continued, stating that the Transportation Expenditure Plan identifies five funding sources:

- The Tier 2 Fee 2.
- The Transportation Uniform Mitigation Fee
- Transportation sales tax; 30 year, 1/2 %
- Existing and future state and federal funds.
- Potential toll road/public private partnership for the Placer Parkway.

She advised the mix of funding sources enhances buying power and equity of who pays. The State Transportation Infrastructure Bond, nearly \$20 billion statewide, covers 11 programs and offers opportunities for Placer County. There is another \$7.5 billion in competitive programs that may be sought. This bond is important for Highway 65 improvements and the I-80 bottleneck and the Capital Corridor Rail Service.

Committee implementation of the Transportation Expenditure Plan would begin with public education and research; updating the Expenditure Plan to include infrastructure bond proceeds, and a possible recommendation to place the Expenditure Plan on the November 2008 ballot. A 2/3 majority plus the Board of Supervisors is needed for a transportation sales tax.

Jurisdiction actions include developer impact fee ordinances; local subvention plan; and possible placement of the Transportation Expenditure Plan on the November 2008 ballot. Ms. McAdams gave the path for the website, FixPlacerTraffic.org.

PUBLIC WORKS/PLACER COUNTY TRANSPORTATION PLANNING AGENCY - Resolution 2006-258 adopted designating the Placer County Transportation Planning Agency as Placer County's Local Transportation Authority. MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Santucci absent)

Rick Dondro, Assistant Director of Public Works, stated that one of the key aspects of the funding picture is the obligation of land development. He named several current fee programs. He restated the points of the Transportation Expenditure Plan which would fill the gaps in those programs. He explained the need for a Local Transportation Authority to administer the Plan.

The Board was asked to adopt a resolution that would designate the Placer County Transportation Planning Agency as the Local Transportation Authority.

PUBLIC WORKS/COUNTY SERVICE AREA #28, ZONE OF BENEFIT #200, SILLER RANCH (MARTIS CAMP) – Public hearing closed. Resolution 2006-259 adopted creating Zone of Benefit #200 and setting charges to operate transit service in Martis Valley. MOTION Weygandt/Gaines/Unanimous VOTE 4:0 (Santucci absent)

Will Garner, Public Works, explained the Zone of Benefit would establish an assessment of \$30.64 per single family dwelling and equivalent. New developments that come online within Martis Valley will be asked to participate in the County Service Area. With this funding and the Transportation Development Act funds, there will be increased winter and year round Tahoe Area Rapid Transit bus services along Hwy 267, between Truckee and Kings Beach, which will begin in winter 2007-08. A public hearing is required to consider protests; the ballot has been signed and tabulated. No public comment was received.

COMMUNITY DEVELOPMENT RESOURCE AGENCY – Ribbon cutting for the Community Development Resource Center, located at 3091 County Center Drive, Auburn.

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ITEMS FOR INFORMATION:

- 36. AUDITOR/CONTROLLER - Supplemental Law Enforcement Services Fund Auditor's Report from July 1, 2005 to June 30, 2006.
- 37. TREASURER/TAX COLLECTOR - Treasurer's Statement for month of July 2006.

ADJOURNMENT – The next regularly scheduled meeting is Tuesday, September 12, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bruce Kranz, Vice Chairman
Placer County Board of Supervisors

Kathy Zick
Supervising Board Clerk

Ann Maginnis
Senior Board Clerk